

Senate Bill No. 1421

Passed the Senate August 22, 2012

Secretary of the Senate

Passed the Assembly August 21, 2012

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2012, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 799.1 of the Civil Code, relating to mobilehomes, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1421, Correa. Mobilehomes: resident-owned mobilehome parks.

The Mobilehome Residency Law governs the terms and conditions of tenancies in mobilehome parks and defines a mobilehome park for purposes of these provisions. The law also sets forth separate provisions that govern, and are only applicable to, the rights of a resident who has an ownership interest in a subdivision, cooperative, or condominium for mobilehomes or a resident-owned mobilehome park in which the resident's mobilehome is located or installed. Existing law provides, notwithstanding these provisions, that in a mobilehome park owned and operated by a nonprofit mutual benefit corporation, as specified, whose members consist of park residents where there is no recorded condominium plan, tract, parcel map, or declaration, those specified provisions of the Mobilehome Residency Law govern the rights of members who are residents that have a rental agreement with the corporation.

This bill would instead provide that specified portions of the Mobilehome Residency Law govern the rights of members of certain nonprofit mutual benefit corporations who are residents that rent their space from the corporation. The bill would also exclude nonprofit mutual benefit corporations whose members consist of park residents where there is no recorded subdivision declaration or condominium plan from the provisions described above.

This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 799.1 of the Civil Code is amended to read:

799.1. (a) Except as provided in subdivision (b), this article shall govern the rights of a resident who has an ownership interest in the subdivision, cooperative, or condominium for mobilehomes, or a resident-owned mobilehome park in which his or her mobilehome is located or installed. In a subdivision, cooperative, or condominium for mobilehomes, or a resident-owned mobilehome park, Article 1 (commencing with Section 798) to Article 8 (commencing with Section 798.84), inclusive, shall apply only to a resident who does not have an ownership interest in the subdivision, cooperative, or condominium for mobilehomes, or the resident-owned mobilehome park, in which his or her mobilehome is located or installed.

(b) Notwithstanding subdivision (a), in a mobilehome park owned and operated by a nonprofit mutual benefit corporation, established pursuant to Section 11010.8 of the Business and Professions Code, whose members consist of park residents where there is no recorded subdivision declaration or condominium plan, Article 1 (commencing with Section 798) to Article 8 (commencing with Section 798.84), inclusive, shall govern the rights of members who are residents that rent their space from the corporation.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to protect and clarify landlord-tenant rights within resident-owned mobilehome parks, it is necessary that this act take effect immediately.

Approved _____, 2012

Governor